

FILED
 At Albuquerque NM
 FEB 11 2016
 MATTHEW J. DYKMAN
 CLERK

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Ivan MEDINA

) Case No.

16-MJ-508

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/10/2016 in the county of Bernalillo in the
 Judicial District of New Mexico, the defendant(s) violated:

Code Section

21 USC 841 (a) (1), (b) (1) (A)

Offense Description

Possession of more than 500 grams of a mixture or substance containing a detectable amount of methamphetamine

This criminal complaint is based on these facts:

*** SEE ATTACHED AFFIDAVIT ***

Continued on the attached sheet.

Complainant's signature

S/A Jarrell W. Perry, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/11/2016

City and state: Albuquerque, New Mexico

Judge's signature

William P. Lynch

Printed name and title

AFFIDAVIT

On February 10, 2016, Drug Enforcement Administration (DEA) Special Agent (S/A) Jarrell W. Perry and DEA S/A Gerald Maestas were at the Greyhound Bus Station in Albuquerque, New Mexico when the eastbound Greyhound Bus arrived for its regularly scheduled stop in Albuquerque, New Mexico. S/A Perry and S/A Maestas completed speaking with various passengers on the Greyhound Bus and walked into the Greyhound Bus Station.

S/A Perry approached a male, who was later identified as Ivan MEDINA, who exited the rear door of the Greyhound Bus Station. S/A Perry displayed his DEA badge to MEDINA, identified himself as a police officer to MEDINA, asked for and received permission to speak with MEDINA.

After a short conversation, S/A Perry asked MEDINA if he had any luggage with him. MEDINA only identified a brown/black colored suitcase as belonging to him. S/A Perry observed a red colored "Adidas" brand duffel bag, a bag of Cheetos and a blue colored sweatshirt sitting a few feet away from MEDINA's brown/black colored suitcase. MEDINA disclaimed all interest and ownership in the red colored "Adidas" brand duffel bag, bag of Cheetos and blue colored sweatshirt. No one inside of the Greyhound Bus Terminal claimed ownership of the red colored "Adidas" brand duffel bag, bag of Cheetos and blue colored sweatshirt.

S/A Perry determined from his experience that the red colored "Adidas" brand duffel bag, bag of Cheetos and blue colored sweatshirt were abandoned. S/A Perry opened up the red colored "Adidas" brand duffel bag, which revealed several oblong shaped bundles concealed inside of a towel. S/A Perry knew from his experience that the oblong shaped bundles which were wrapped in green duct-tape were consistent with illegal narcotics, specifically crystal methamphetamine.

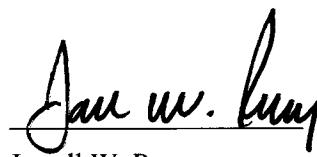
S/A Perry met with management of the Greyhound Bus Station and reviewed surveillance video inside of the Greyhound Bus Terminal, which revealed MEDINA walking with the

red colored "Adidas" brand duffel bag on top of his brown/black colored suitcase, remove the red colored "Adidas" brand duffel bag and place it in a seat inside of the Greyhound Bus Terminal.

S/A Perry and S/A Maestas handcuffed MEDINA, thus placing him under arrest. MEDINA was transported to the DEA ADO. At the DEA ADO, S/A Perry and S/A Maestas removed a total of five oblong shaped, hard-like bundles which were wrapped in bright green duct-tape from the red colored "Adidas" brand duffel bag. S/A Perry and S/A Maestas weighed the five bundles, for a total weighed of approximately 2.55 gross kilograms (5.71 gross pounds). S/A Perry knew that based upon his training and experience that this is an amount that is consistent with distribution rather than personal use. S/A Perry cut into one of the bundles, which revealed a clear crystal like substance, which field-tested positive for the presence of methamphetamine.

At the DEA ADO, S/A Perry, witnessed by S/A Maestas, read MEDINA his Miranda rights, per 13a. MEDINA waived his Miranda rights and agreed to answer questions. MEDINA said that a male gave him the red colored "Adidas" brand duffel bag in Tucson, Arizona to transport to Colorado Springs, Colorado and that MEDINA removed the blue colored sweatshirt from the red colored "Adidas" brand duffel bag. MEDINA said that he did not know that there was anything illegal inside of the red colored "Adidas" brand duffel bag and could not explain what he was going to do with the red colored "Adidas" brand duffel bag when he arrived in Colorado Springs, Colorado.

This affidavit is submitted for the limited purpose of providing probable cause to support the attached criminal complaint.



Jarrell W. Perry
Special Agent
Drug Enforcement Administration



W. Polk

United States Magistrate Judge